

VZCZCXYZ0002
RR RUEHWEB

DE RUCNDT #1063 3271520
ZNR UUUUU ZZH
R 231520Z NOV 09
FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC 7683
INFO RUEHCP/AMEMBASSY COPENHAGEN 0285
RUEHOT/AMEMBASSY OTTAWA 0026

UNCLAS USUN NEW YORK 001063

SIPDIS

E.O. 12958: N/A
TAGS: [PREL](#) [AORC](#) [UNGA](#)
SUBJECT: GENERAL DEBATE ON THE INTERNATIONAL COURT OF
JUSTICE (ICJ)

¶1. Judge Hisashi Owada, President of the International Court of Justice (ICJ), addressed the General Assembly on October 29 and 30. Twenty-seven Member States addressed the General Assembly on the issue with Georgia exercising its right of reply. All of the interventions praised the ICJ for its role in promoting rule of law and the peaceful settlement of disputes. Member States recognized the growing acceptance of the Court as the amount and scope of cases increased. Some States urged those who had not submitted to its compulsory jurisdiction to do so.

¶2. Judge Owada provided the General Assembly with an overview of the ICJ's recent activity, specifically describing the particulars of six of the sixteen cases on its docket: Georgia vs. Russia, Croatia vs. Serbia, the United States vs. Mexico, Romania vs. Ukraine, Belgium vs. Senegal, and Costa Rica vs. Nicaragua. He noted the increased recourse to the ICJ by States for the settlement on a host of different issues, observing that without law "we cannot construct anything that will last."

¶3. President of the General Assembly Ali Treki followed Judge Owada's remarks with this own comments highlighting the importance of the ICJ and its role in the promotion of rule of law. He also called on Member States to comply with the Court's judgments.

- - - - -
REGIONAL INTERVENTIONS
- - - - -

¶4. Canada, on behalf of Canada, Australia, and New Zealand (CANZ), advocated for the ICJ as it was the only court of an international character with global jurisdiction. CANZ noted that the broad range of topics covered by the ICJ in the past year reflected the ICJ's growing acceptance.

¶5. Denmark, representing the Nordic States, expressed strong support for the ICJ remarking that it plays a vital role in the peaceful settlement of disputes. Denmark praised the Court for being apolitical and for protecting the U.N. Charter.

- - - - -
COMMON THEMES
- - - - -

¶6. Most of the interventions touched on the same points regarding the ICJ. Member States (e.g. the Philippines, Senegal, Peru, India, Brazil, and Romania) noted the global acceptance of the Court, citing the fact that the Court was now reviewing cases on a wide variety of issues as proof. Several States urged Member States who had not submitted to the compulsory jurisdiction of the Court to do so. Many, if not all, of the speeches urged Member States to provide the Court with more resources, particularly six extra law clerks. Over the two days of debate, Member States (such as South Africa, Singapore, Japan, and Tunisia) commented that the ICJ

served as a great tool for the settlement of disputes. Several of the African States (Sudan, Egypt, and South Africa) called on the ICJ to review the definition and scope of the principle of universal jurisdiction. Finally, various delegations (e.g. Peru, Chile, and Sudan) commended the ICJ for its website and welcomed the clearing of the backlog of cases.

17. At the close of debate, Georgia exercised its right of reply in response to Russia's intervention, which claimed that the ICJ did not have competence in the case of Georgia vs. Russia. Georgia cited the Report of the ICJ (A/64/4) which stated that the ICJ did, in fact, have competence.

RICE